

MG



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,937	05/05/2000	ALEKSANDR FYEDOROVICH LUKIN	VISP-2	6347

7590

12/03/2001

J HAROLD NISSEN
LACHENBACK SIEGEL MARZULLO ARONSON & GREENSPAN
ONE CHASE ROAD
PENTHOUSE SUITE
SCARSDALE, NY 10583

EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
----------	--------------

2643

8

DATE MAILED: 12/03/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Handwritten signature

Office Action Summary

Application No.

09/530,937

Applicant(s)

LUKIN, ALEKSANDR
FYEDOROVICH

Examiner

George Eng

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3-4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2643

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statements filed 8/15/2000 and 2/5/2001 (papers no. 3 and 4) have been considered. In addition, the information disclosure statement filed 5/5/2000 has been considered.

Claim Objections

3. Claims 3 and 5 are objected to because of the following informalities: claim 3, line 1, "a telephone adapter" should be --the telephone adapter--; and claim 5, page 17, line 20, "fist" should be --first--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2643

Regarding claim 1, it is unclear whether the limitation "said network" on page 16 line 5 is referring to a telephone network or a local computer network.

Claims 2-4 are also rejected because of depending on claim 1 containing the same deficiency.

In addition, it is unclear whether the limitation of claim 3, "the reception channel" on page 16, lines 26-27, is referring to a particular one of the reception channels or reception channels.

Regarding claim 5, it is unclear whether the limitation "said network" on page 17 line 9 is referring to an internal telephone network or a local computer network.

Claims 6-8 are also rejected because of depending on claim 1 containing the same deficiency.

In addition, it is unclear whether the limitation of claim 7, "the reception channel" on page 18, line 4, is referring to a particular one of the reception channels or reception channels.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2643

6. Claim 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baratz et al. (US PAT. 5,742,596 hereinafter Baratz) in view of the prior art admitted by applicant (RU PAT. 2,105,425 hereinafter Skigin et al.).

Regarding claim 1, Baratz discloses a communication network for a structure site (10) as shown in figure 1 comprising a local computer network (37) connecting computers (40) at the transmitting and receiving ends of system through network adapters (43), and telephone sets (42) connected to said local computer network to provide telephone communication between the parties at the transmitting and receiving ends with an interface module (172) having telephone interfaces (102) according to the number of telephone sets, wherein it is provided with a computer telephony server (44) connected to the local computer network (37) and to a general telephone network (12), wherein each telephone set is being connected to the local computer network directly through a telephone adapter (102) and a network adapter (43) connected in series thereto in order to transfer voice data over the local computer network (col. 4 line 6 through col. 6 line 6 and col. 9 lines 6-41). In addition, Baratz discloses the telephone adapter is being operated to convert analog signal to and from digital signal (col. 8 line 56-58), user call signals into addresses of other telephone adapters connected to said local computer network such as making internal calls (col. 6 lines 1-6), and hang-up signals (col. 5 lines 65-66). Baratz differs from the claimed invention in not specifically teaching to convert analog signal to and from digital signal adapted to the clock frequency of the local network. However, it is notoriously well known in the art of an interface is designed as an analog/digital signal converter adapted to the clock frequency of the local network in order to allow the same channels to be used to transmit computer data and to maintain voice communication, for example see Skigin (specification, page

Art Unit: 2643

8 liens 5-11). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Baratz in having the functions of the interface, as per teaching of Skigin, because it makes the communication process simpler and cutting its costs.

Regarding claim 2, Baratz teaches computers (40) connected to the local computer network (37) for providing with multimedia software, i.e., application, for directly transmitting digitized voice data over said local computer network for communications (col. 5 lines 31-40 and col. 6 lines 48-51).

Regarding claim 3, Baratz discloses the telephone adapter as shown in figure 4 comprising a processor (112) having software to allow exchange of digital data to be effected within the framework of common network protocol (col. 5 lines 38-53, col. 8 lines 63-67 and col. 9 lines 27-35). Baratz differs from the claimed invention in not specifically teaching a particular combination of elements including a signal-distributor, a tone dialing recognition device, a recognized number transmission device, a compressor, a voice and tone signal transmission priority device, a voice signal transmitter, and a decompressor in the telephone adapter. However, Skigin discloses the telephone adapter comprising a transmitting and receiving ends, wherein the transmitting ends has a signal detector-distributor with an input connected to a telephone set, a first output of said signal detector-distributor being connected to the input of a tone dialing recognition device having its output connected to the input of a recognized number transmission device, which has its output connected to the local computer network, a second output of the signal detector-distributor being connected to the input of an analog-to-digital converter having its output connected the input of a compressor whose output is connected to a processor unit and the reception channel having a voice and tone signal transmission priority

Art Unit: 2643

device having its output connected to the telephone set and a first input connected to the output of a call signal dialer, whose input is connected to a call number data converter having its input connected to the local computer network through the network adapter, a second input of the voice and tone signal transmission priority device being connected to the output of a voice signal transmitter, whose input is connected to the output of a decompressor having its input connected to the processor unit (specification, page 3 line 30 through page 4 line 22). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Baratz in having the telephone adapter with a structure as taught by Skigin because it provides new opportunities for signal transmission and reception using general-purpose equipment.

Regarding claim 4, Baratz discloses that the processor unit (112) is a central processor connected to digital data input-output device (114), and to a control (116) having a stored program memory and a random access memory via host interface (118) to allow exchange of digital data to be effected within the framework of common network protocol (col. 8 lines 63-67 and col. 9 lines 27-35).

Regarding claim 5, the limitations of the claim are rejected as the same reasons as set forth in claim 1. In addition, Baratz also discloses to maintain telephone communication between remote structure sites with the structure site (10), i.e., a first site, such that the local computer network of each remote site is being provided with a router (48) connected thereto and to a router of the local computer network of at least one other site through communication channel of the computer networks of the remote structure sites (col. 4 lines 51-67). Note while Baratz teaches that traffic originating from one node within a segment to another node within the same segment

Art Unit: 2643

reduces unnecessary load on the rest of the network. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify each successive site having an internal telephone network duplicating the telephone network of the first site in order to reduce unnecessary load on the rest of the network.

Regarding claim 6, the limitations of the claim are rejected as the same reasons as set forth in claim 2.

Regarding claim 7, the limitations of the claim are rejected as the same reasons as set forth in claim 3.

Regarding claim 8, the limitations of the claim are rejected as the same reasons as set forth in claim 4.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ohanian et al. (US PAT. 6,122,287) teaches a method for designating a common data protocol to facilitate the transfer of data in order to provide a wide range of servers (abstract). Mordowitz et al. (US PAT. 6,011,794) discloses an Internet telephone accessory as shown in figure 2 comprising a central processor (30) connected to a digital data input-output device (40) and to a stored program memory (28) and to a random access memory (32) to allow exchange of digital data within the framework of common network protocol (col. 3 lines 26-49). Henley et al. (US PAT. 5,526,353) discloses a method for communicating audio data in a packet-based computer network (abstract).

Art Unit: 2643

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is (703) 308-9555. The examiner can normally be reached on Tuesday to Friday from 7 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



GEORGE ENG
PATENT EXAMINER
ART UNIT 2643